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Attorneys for Defendant JERRY CISNEROS

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERRY CISNEROS,

Defendant.

CASE NO. 1:22-CR-00329-NODJ-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: April 24, 2024
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

This case is set for status conference on April 24, 2024. As set forth below, the parties now move, by stipulation, to continue the status conference to August 28, 2024, at 1:00 p.m. and to exclude the time period between April 24, 2024 and August 28, 2024 under the Speedy Trial Act.

STIPULATION

Defendant, by and through defendant's his attorney of record, Mark W. Coleman, and the Government, by and through their attorney, hereby stipulate as follows:

1. By previous order, this matter was set for status on April 24, 2024.
2. By this stipulation, defendant now moves to continue the status conference until august 28, 2024, and to exclude time between April 24, 2024, and August 28, 2024, under 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv) [Local Codes T2 and T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) All of the discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Counsel for defendant desires additional time to consult with his client, to review

the current charges, to conduct further investigation and research related to the charges, to continue to review voluminous discovery including any supplemental discovery, and to evaluate potential pretrial motions. A continuance of the status conference is necessary for continuity of counsel and to facilitate defense investigation and preparation.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 24, 2024 to August 28, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv) [Local Codes T2 and T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: April 22, 2024	/s/ MARK W. COLEMAN
	MARK W. COLEMAN Counsel for Defendant

Dated: April 22, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Justin Gilio

Justin Gilio
Assistant United States Attorney

ORDER

IT IS SO ORDERED that the status conference is continued from April 24, 2024, to **August 28, 2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(ii), B(iv).

IT IS SO ORDERED.

Dated: April 22, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE